



GOVERNMENT OF SINDH
COLLEGE EDUCATION DEPARTMENT

Karachi dated the 14th September, 2021

Read / Reference

- i. Honourable Sindh Service Tribunal passed order dated 29-05-2018 in Service Appeal No. 575, 576, 458, 472, 490, 454, 474, 482, 486, 510, 453, 455, 461, 469 of 2017 & Service Appeal No. 08, 09, 11, 29, 13, 64, 58 & 22 /2018 filed by Hizbullah Soomro & others.
- ii. Honourable Sindh Service Tribunal, passed order dated 04-11-2019 in Execution application No. 173 of 2019 in Service appeal No. 22 of 2018 filed by Syed Tarique Shah.
- iii. Honourable Supreme Court of Pakistan passed order dated 08-04-2021 in Civil Petition No. 664-K/2019 filed by the Secretary, Colleges Education & Literacy Department and others v/s Syed Tarique Shah.
- iv. Honourable Sindh Service Tribunal at Karachi passed order dated 12-08-2021 in Exestuation Application No. 138 of 2019 in appeal No. 455 of 2017 file by Ghulam Abbas v/s Secretary, College Education & Literacy Department & others.
- v. The Regional Director Colleges, Sukkur requested to appear alongwith (22) persons / appellants and their complete record / documents before the Secretary, College Education Department on 25-08-2021 at 11:00 am vide letter No. SO (HR-V) Misc-Court-98/2019 dated 13-08-2021.

ORDER

The matter pertains to re-instatement in service with back benefits of College Education Department. Brief history of the case is following:

2. **WHEREAS**, (i) Hizbullah Soomro S/o Din Muhammad Soomro, Computer Operator (BPS-12), filed Service Appeals No. 575/2017, (ii) Bakshal Khan S/o Gulab Khan Rajper, Lab. Assistant (BPS-07), filed Service Appeal No. 576 of 2017, (iii) Hakim Ali S/o Darya Khan Jogi, Chowkidar (BPS-01), filed Service Appeals No. 458/2017, (iv) Aneel Raza S/o



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Qurban Ali, Malhi (BPS-01) filed Service Appeal No. 472/2017 (v) Shah Nawaz S/o Rab Nawaz, Chowkidar (BPS-01) filed Service Appeal No. 490/2017 (vi) Farzand Ali S/o Pehalwan Khuwaja, Lab. Attendant (BPS-02) filed Service Appeal No. 454/2017 (vii) Aujiz Ali Abbasi S/o Madad Ali, Lab. Attendant (BPS-02) filed Service Appeal No. 474/2017 (viii) Muhammad Ilyas S/o Ghulam Qadir Lashari, Naib Qasid (BPS-02) filed Service Appeal No. 482/2017 (ix) Sada Ali S/o Daim Hussain, Naib Qasid (BPS-02) filed Service Appeal No. 486/2017 (x) Sirajuddin S/o Umaruddin Malik, Lab. Attendant (BPS-02) filed Service Appeal No. 510/2017 (xi) Bhag Chand S/o Pargghurio Hindu, Lab. Attendant (BPS-02) filed Service Appeal No. 453/2017 (xii), Ghulam Abbas S/o Lal Muhammad Phull, Plumber (BPS-04) filed Service Appeal No. 455/2017, (xiii) Nizakat Ali S/o Ghous Bux, Plumber (BPS-04) filed Service Appeal No. 461/2017, (xiv), Abdul Jabbar S/o Muhammad Hayat, Computer Lab. Assistant (BPS-07) filed Service Appeal No. 469/2017, (xv) Fida Hussain S/o Sajjan Khan Dahri, Naib Qasid (BPS-02) filed Service Appeal No. 08/2018, (xvi) Ghulam Akbar S/o Muhammad Soomar Shar, Sanitary Worker (BPS-01) filed Service Appeal No. 09/2018, (xvii) Mian Dad S/o Rando Khan Watni, Chowkidar (BPS-01) filed Service Appeal No. 11/2018, (xviii) Ali Hassan S/o Hadi Bux, Chowkidar (BPS-01) filed Service Appeal No. 29/2018, (xix) Muhammad Din S/o Yar Muhammad Khaskheli, Lab. Attendant (BPS-02) filed Service Appeal No. 13/2018, (xx) Muhammad Asif S/o Zakir Hussain, Computer Lab. Attendant (BPS-03) filed Service Appeal No. 64/2018, (xxi) Wajid Ali S/o Ashique Ali Jumani, Plumber (BPS-04) filed Service Appeal No. 58/2018, (xxii) Syed Tarique S/o Abdul Ghaffar Shah, Computer Operator (BPS-11) filed Service Appeal No. 22/2018.

3. **AND WHEREAS**, Mr. Hizbullah Soomro & Bakshal Khan Rajper filed Service Appeal No. 575 & 576 of 2017 before the Honourable Sindh Service Tribunal, whereby the Honourable Court passed Judgment order dated 29-05-2018 (**Bunch One**), Bagh Chand & others filed Service Appeal No. 453, 454, 482, 458, 461, 469, 472, 474, 486, 490, 455 & 510/2017 (**Bunch Two**) and Fida Hussain & others filed Service Appeal No. 8, 64, 9, 11, 22, 29 & 58/2018 (**Bunch Three**), before the Honourable Sindh Service Tribunal, whereby the Honourable Court passed Judgment order dated 29-05-2018 *“The impugned order dated 16-02-2016 if any (not produced) by either party alongwith appellate order dated 21-03-2017 are set-aside and appellants are reinstated in service with all back benefits:*

4. **AND WHEREAS**, Syed Tarique Shah S/o Abdul Ghaffar Shah filed Execution Application No. 173 of 2019 in Service Appeal No. 22 of 201 before the Honourable Sindh Service Tribunal, Karachi, whereby the Honourable Court passed Order dated 04-11-2019 and operating portion of the Judgment as under:

“Professor Murad Ali Rahimoon (Director, Inspections Colleges), Mr. Sain Rakhio (Additional Director, Colleges Sukkur) & Professor Bashir Ahmed




present. They requests for time of compliance with the direction issued through judgment dated 29-05-2018. Paragraph 47 of the said judgment has issued directions that appellants named above are directed to be reinstated in service with back benefits. It means all the respondents including the respondent No.1, Secretary, Education (Colleges) Sindh, Sindh Secretariat, Karachi have been directed to comply with. They are once again directed to comply with. Put off to 18-12-2019”.

5. **AND WHEREAS**, The Secretary (Colleges) Education & Literacy Department, Government of Sindh V/s Syed Tarique Shah filed Civil Petition No. 664-K/2019 (against the Judgement dated 04-11-2019 of the Sindh Service Tribunal, Karachi passed in Execution Application No. 173/2019 in Service Appeal No. 22/2018), whereby the Honourable Supreme Court of Pakistan passed Order dated 08-04-2021 and operating portion of the Judgment as under:

“Mr. Soulat Rizvi, the learned Additional Advocate General expresses his anxiety that in the guise of the impugned order those appellants who lost their appeals and who were not ordered to be reinstated may try to take an advantage. However, it seems that the apprehension is unfounded as we expect that the Tribunal shall follow the judgment strictly and shall not allow anyone to exploit illegally and unlawfully. The petition stands dismissed ”.

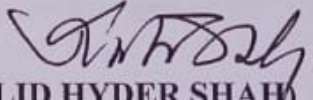
6. This office issued a letter dated 21-05-2021 to Regional Director Colleges, Sukkur to furnish the update regarding any appeal / review filed in any Tribunal or Court on the Sindh Service Tribunal's order dated 29-05-2018 & 04-11-2019, then Regional Director Colleges, Sukkur has informed that there is no appeal filed for review of 08-04-2021 decision of Honourable Supreme Court of Pakistan at any Tribunal or Court by him. After that this department again route a letter dated 07-06-2021 to the Regional Director Colleges, Sukkur to furnish the update regarding any appeal / review filed by anyone / any case pending in any Tribunal, Court or Agency w/r to recruitment made in 2011 by Ex-Regional Director. The Regional Director Colleges, Sukkur informed vide his letter No. RDC/HR/FIN/INSP/SUK/542-44/2020-21 dated 23-06-2021 in which informed that no any appeal / review is being filed against the decision of Honourable Supreme Court of Pakistan in 664-K/2019 at any forum. Because their office is not illegible to file such appeal. Regarding appointment made in 2011 at Sukkur Region there are many cases running in different forums / courts i.e. Provincial Ombudsman, Worthy Commissioner, High Court Bench at Sukkur and Sindh Service Tribunal Karachi.

7. **NOW THEREFORE**, In pursuance of Order dated 29-05-2018 & 04-11-2019 of the Honourable Sindh Service Tribunal, Karachi passed in Service Appeal No. 575, 576, 458, 472, 490, 454, 474, 482, 486, 510, 453, 455, 461, 469 of 2017 & Service Appeal No. 08, 09, 11, 29, 13, 64, 58 & 22 /2018 and the Honourable Supreme Court of Pakistan passed Order dated 08-04-2021. The Secretary, College Education Department called the Regional Director Colleges, Sukkur and (22) appellants for personal hearing alongwith complete record / documents etc on

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25-08-2021 vide letter dated 13-08-2021. During the hearing it transpired that the appellants did not meet all the (15) points/ requirements as set out by the Honourable Tribunal during its hearing. However in compliance of the Honourable Tribunal order dated 29-05-2018, 04-11-2019 & Supreme Court Order dated 08-04-2021 and execution order dated 12-08-2021, the following (22) officials are hereby re-instated into service:

- i. Mr. Hakim Ali S/o Darya Khan Jogi.
- ii. Mr. Azeel Raza S/o Qurban Ali.
- iii. Mr. Shah Nawaz S/o Rab Nawaz.
- iv. Mr. Fida Hussain S/o Sajjan Khan Dahri.
- v. Mr. Ghulam Akbar S/o Muhammad Soomar.
- vi. Mr. Mian Dad S/o Rando Khan.
- vii. Mr. Ali Hassan S/o Hadi Bux.
- viii. Mr. Farzand Ali S/o Pehalwan Khuwaja.
- ix. Mr. Aujiz Ali Abbasi S/o Madad Ali.
- x. Mr. Muhammad Ilyas S/o Ghulam Qadir Lashari.
- xi. Mr. Sada Ali S/o Daim Hussain.
- xii. Mr. Sirajuddin S/o Umaruddin Malik.
- xiii. Mr. Muhammad Din S/o Yar Muhammad Khaskheli.
- xiv. Mr. Bhagchand S/o Pargghurio Hindu.
- xv. Mr. Muhammad Asif S/o Zakir Hussain.
- xvi. Mr. Ghulam Abbas S/o Lal Muhammad Phull.
- xvii. Mr. Nizakat Ali S/o Ghous Bux.
- xviii. Mr. Wajid Ali S/o Ashique Ali Jumani.
- xix. Mr. Abdul Jabbar S/o Muhammad Hayat.
- xx. Mr. Bakhshal Khan S/o Gulab Khan Rajper.
- xxi. Syed Tarique S/o Abdul Ghaffar Shah.
- xxii. Mr. Hizbullah Soomro S/o Din Muhammad.


(KHALID HYDER SHAH)
SECRETARY TO GOVT. OF SINDH

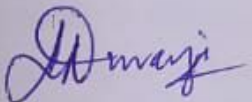
No. SO (HE-I) Misc-Court-98/2019

Karachi dated the 14th September, 2021

A copy is forwarded for information and necessary action:-

1. The Accountant General Sindh, Karachi.
2. Additional Advocate General Sindh, 3rd Floor, Administration Block, High Court New Annexe Building, Karachi.
3. The Registrar, Sindh Service Tribunal, Karachi.
4. The Director General Colleges Sindh, Karachi.
5. The Regional Director Colleges, Sukkur / Shaheed Benazirabad.
6. The District Accounts Officer, concerned.
7. The Principal, concerned.
8. P.S to Minister, College Education Department.
9. PS to Secretary, College Education Department.
10. Official Web Site.
11. The Office Order File.




(LIAQUAT ALI MANGI)
SECTION OFFICER (HR-V)